

REMARKS

Favorable reconsideration of this application, in light of the following discussion and in view of the present amendment, is respectfully requested.

Claims 1-6, 11-15, 19-27, 29 and 30 are pending.

I. Rejection under 35 U.S.C. § 103

In the Office Action, at page 5, numbered paragraph 5, claims 1-6, 11-15, 19-27 and 29 were rejected under 35 U.S.C. § 103(a) as being unpatentable over DE 10114950 to Goertz Werner ("Werner") in view of U.S. Patent No. 5,438,433 to Reifman et al. This rejection is respectfully traversed because the combination of the teachings of Werner and Reifman does not suggest:

storing the received SMS short messages in a memory region of the facsimile machine or the multifunctional device operating in the wired network according to a user selection;

printing the received SMS short messages according to the user selection; and

deleting the printed SMS short messages according to the user selection after the printing,

as recited in independent claim 1.

Werner discusses receiving a short message SMS by a fax machine FAX, which is processed further in the FAX machine with the help of a Fixed network-SMS-protocol stack implemented in the Fax machine FAX, which is then displayed on a display unit of the fax machine and/or is printed on the paper roll of the fax machine FAX.

As conceded by the Examiner, Werner does not discuss or suggest storing the received SMS short messages according to a user selection, printing the received SMS short messages according to the user selection and deleting the printed SMS short messages according to the user selection after the printing. The Examiner indicates that Reifman makes up for the deficiencies in Werner. The Applicants respectfully disagree.

Reifman discusses that an IFAX 10 displays received facsimile messages and the user may print any facsimile message, save a facsimile message or deleted a facsimile message.

Reifman does not discuss or suggest storing, printing and receiving SMS short messages. Reifman only discusses typical facsimile messages, but does not suggest that such message are SMS short messages.

As discussed in paragraph 0005 of the related art of the present disclosure, short messages received from an SMS center can be confirmed on a display window and the received short messages cannot be printed, thus the difficulty in managing received SMS short messages. SMS short messages require the use of a specific communication protocol – ES 201 912. Thus, SMS short messages are distinct from other types of messages received at a facsimile machine.

In particular, for example as discussed in paragraph 0020 of the present disclosure, typically an SMS program is stored in a memory unit and if a key indicative of an SMS reception and transmission is input into an operation panel, the CPU accesses the SMS program stored in the memory unit to confirm received short messages or to write and send short messages. Thus, SMS short messages specifically require an SMS program.

The messages discussed in Reifman are not SMS short messages and thus do not have the problems inherent with SMS short messages being transmitted over a wired network.

Further, there is no indication as to how or why one of ordinary skill in the art would be able to utilize the storing, printing and deleting functions of a typical facsimile message with the SMS short messages of Werner. Again, as discussed in paragraph 0005 of the present specification, a problem with the related art is that while SMS short messages may be received from an SMS center, the received short messages cannot be printed, particularly according to a user selection. The SMS short messages operate utilizing a specific communication protocol, while the typical facsimile messages do not. Additionally, merely reciting that combining Werner and Reifman would be obvious because “doing so the user has the options of ‘activities’ to perform with regards to the received messages, thus making the system user-friendlier” does not suggest how or why the SMS short messages of Werner could be modified in the manner of typical facsimile messages of Reifman to perform the storing, printing and deleting functions of Reifman. Typically, SMS short messages cannot be printed when they are received from an SMS center. The cited motivation does not suggest why the SMS short messages of Werner would be combined with the non-SMS short messages that utilize a different protocol of Reifman.

Also, M.P.E.P. § 2143.01 states that “If the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims prima facie obvious.” In re Ratti, 270 F.2d 810, 123 USPQ 349 (CCPA 1959). Here, combining the SMS short messages of Werner with the typical facsimile non-SMS short messages of Reifman would change the

principle of operation of Reifman. In Reifman, it is only clear that non-SMS short messages are able to be stored, printed and deleted according to a user selection. Thus, taking the non-SMS short messages and incorporating them into the SMS short messages of Werner would change the principle of operation of Werner because typically SMS short messages are not able to be printed in a fixed network.

Therefore, as the combination of the teachings of Werner and Reifman does not suggest "storing the received SMS short messages in a memory region of the facsimile machine or the multifunctional device operating in the wired network according to a user selection; printing the received SMS short messages according to the user selection; and deleting the printed SMS short messages according to the user selection after the printing," as recited in independent claim 1, claim 1 patentably distinguishes over the references relied upon. Further, combining Werner and Reifman would change the principle of operation of Werner. Accordingly, withdrawal of the §103(a) rejection is respectfully requested.

Also, the combination of the teachings of Werner and Reifman does not suggest "storing the received SMS short messages in a predetermined memory region of the facsimile machine or the multifunctional device operating in the wired network according to a user selection according to a user selection; and printing the stored SMS short messages according to the user selection," as recited in independent claim 13. Thus, claim 13 patentably distinguishes over the references relied upon. Further, combining Werner and Reifman would change the principle of operation of Werner. Accordingly, withdrawal of the § 103(a) rejection is respectfully requested.

Further, the combination of the teachings of Werner and Reifman does not suggest "receiving short messages from the SMS through a wired network, storing the received SMS short messages in a memory region of the printing apparatus operating in the wired network and printing the received and stored SMS short messages," as recited in amended independent claim 21. Thus, claim 21 patentably distinguishes over the references relied upon. Further, combining Werner and Reifman would change the principle of operation of Werner. Accordingly, withdrawal of the § 103(a) rejection is respectfully requested.

In addition, the combination of the teachings of Werner and Reifman does not suggest "an SMS interface receiving short messages from the SMS through a wired network and storing the received SMS short messages in a memory region of the printing apparatus operating in the wired network according to a user selection; [and] a printer printing the received and stored SMS short messages according to the user selection," as recited in independent claim 23. Thus, claim 23 patentably distinguishes over the references relied upon. Further, combining Werner

and Reifman would change the principle of operation of Werner. Accordingly, withdrawal of the § 103(a) rejection is respectfully requested.

Additionally, the combination of the teachings of Werner and Reifman does not suggest "a programmed computer processor according to a user selection setting up a call to an SMS center, receiving and storing SMS short messages through a wired network from the SMS center in a memory of the printing device operating in the wired network, selectively providing the received SMS short messages, and printing the stored SMS messages according to the user selection to allow managing the received SMS short messages in a document format," as recited in independent claim 27. Thus, claim 27 patentably distinguishes over the references relied upon. Further, combining Werner and Reifman would change the principle of operation of Werner. Accordingly, withdrawal of the § 103(a) rejection is respectfully requested.

Further, the combination of the teachings of Werner and Reifman does not suggest "storing the received SMS short messages in a predetermined memory region of the facsimile machine or the multifunctional device operating in the wired network according to a user selection; and printing the received and stored SMS short messages according to the user selection," as recited in independent claim 29. Thus, claim 29 patentably distinguishes over the references relied upon. Further, combining Werner and Reifman would change the principle of operation of Werner. Accordingly, withdrawal of the § 103(a) rejection is respectfully requested.

Claims 2-6, 11, 12, 14, 15, 19, 20, 22, 24-26 and 30 depend either directly or indirectly from independent claims 1, 13, 21, 23, 27 and 29 and include all the features of their respective independent claims, plus additional features that are not discussed or suggested by the references relied upon. Therefore, claims 2-6, 11, 12, 14, 15, 19, 20, 22, 24-26 and 30 patentably distinguish over the references relied upon for at least the reasons noted above. Accordingly, withdrawal of the § 103(a) rejection is respectfully requested.

Conclusion

In accordance with the foregoing, claims 1-6, 11-15, 19-27, 29 and 30 are pending and under consideration.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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